

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Donald Dover

Petitioner,

v.

Civil Case No. 11-14248
Criminal Case No. 08-20419

United States of America,

Honorable Sean F. Cox

Respondent.

ORDER
ALLOWING PETITIONER UNTIL MAY 31, 2012 TO FILE A RESPONSE
TO THE GOVERNMENT’S MOTION TO DISMISS

On September 27, 2011, Defendant Donald Dover (“Dover”) filed a motion to vacate his sentence pursuant to 28 U.S.C. § 2255. Thereafter this Court ordered the Government to file a responsive pleading no later than November 28, 2011.

On November 28, 2011, the Government filed a Motion to Dismiss Dover’s § 2255 Motion. The Government, however, served that motion on Dover’s former counsel, rather than on Dover.

Thereafter, Dover filed two motions asking this Court to: 1) order the Government to provide a copy of its motion to Dover; and 2) allow Dover an opportunity to respond to the motion following his receipt of same. (Docket Entry Nos. 222 & 224).

In response, the Government filed a brief stating that: 1) it filed an amended certificate of service, indicating that its Motion to Dismiss was served on Dover on April 17, 2012; and 2) that the Government has no objection to Dover being afforded an opportunity to respond to the

motion.

Accordingly, to the extent that Dover's pending motions ask the Court to order the Government to serve a copy of its Motion to Dismiss on him, the motions are DENIED AS MOOT because the Government has now served a copy of its Motion to Dismiss on Dover.

IT IS FURTHER ORDERED that, to the extent that Dover's motions ask the Court to allow him an opportunity to respond to the Government's Motion to Dismiss, the motions are GRANTED. Dover shall file his response to the Government's Motion to Dismiss no later than **May 31, 2012.**

IT IS SO ORDERED.

Dated: April 30, 2012

S/ Sean F. Cox
Sean F. Cox
U. S. District Court Judge

I hereby certify that on April 30, 2012, the foregoing document was served upon counsel of record by electronic means and upon Donald Dover by First Class Mail at the address below:

Donald Dover #08776-040
Seagoville Federal Correctional Institution
Inmate Mail/Parcels
P.O. Box 9000
Seagoville, TX 75159-9000

Dated: April 30, 2012

S/ J. Hernandez
Case Manager